

DT17R PCT/PTO JUN 21 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) ATTN: Erin M. Pender  
Kojiro TAKAHASHI et al ) Boris Milef  
Appln. No.: 10/030,619 ✓ ) Office of PCT Legal  
I.A. No. PCT/JP00/03000 ) Administration  
I.A. Date: May 10, 2000 ) Washington, D.C.  
For: METHOD FOR CONSTRUCTING ) June 21, 2002  
DNA LIBRARY AND SUPPORT... ) Atty.Docket: TAKAHASHI=30

PETITION TO REVIVE UNDER 37 CFR §1.137(b)


Honorable Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

Applicants/petitioners filed a Petition to Revive under 37 CFR §1.137(a), on January 11, 2002, which petition was denied in a decision mailed May 13, 2002. Said decision gave applicants/petitioners two (2) months to take further action.

Accordingly, applicants/petitioners hereby petition, through their undersigned attorney, for the revival of the above-identified international application designating the United States for the purpose of permitting the timely entry into the U.S. national phase of an application under 35 U.S.C. Section 371. This application became abandoned for failure to timely enter the U.S. national phase, for reasons explained in

the petition of record filed under Rule 137(a) on January 11, 2002.



Under Rule 137(b), a petition to revive an unintentionally abandoned application must be accompanied by (1) a statement that the entire delay in filing was unintentional, (2) a proposed response unless it has been previously filed, (3) a fee in the amount of \$1,280.00 for a large entity, and (4) a terminal disclaimer and disclaimer fee, if appropriate.

As indicated above, applicants previously filed a Petition to Revive Under Rule 137(a), which petition was dismissed in the decision mailed May 13, 2002. Based on a telephone call to the PTO attorney advisor Erin M. Pender on June 20, 2002, applicants understand that the filing of this petition to revive on the basis of unintentional abandonment under Rule 137(b) is an appropriate response.

(1) Accordingly, applicants hereby state, through undersigned counsel, that the entire delay in filing the Section 371 application for entry into U.S. national stage from the due date for entry until the filing of this grantable petition, was unintentional.

(2) Attached to applicants' petition filed January 11, 2002, were all of the papers necessary for entering the

U.S. national phase of this application, including the filing fee, which papers are effectively a "proposed response".

(3) Authorization to charge the petition fee in the amount of \$1,280.00 as required by 37 CFR 1.17(m) to the American Express Account of undersigned, Form PTO-2038, is attached hereto.


(4) A terminal disclaimer is unnecessary as the international application was not filed prior to June 8, 1995.

Applicants/petitioners believe that the granting of this petition and the revival of this application for entry into the U.S. national phase as a Section 371 application are in order. Such actions are respectfully solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

  
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